

State v. Tyson Foods, et al.

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David Page

From: David Page
Sent: Thursday, June 05, 2008 3:02 PM
To: 'Jorgensen, Jay T.'; Bill Narwold; David Riggs; Bob Nance; Daniel Lennington; Deborah Ellis; Elizabeth Claire Xidis; Elizabeth Ward; FFitzpatrick; Fred Baker; Ingrid Moll; JOrent; Julie Zielinski; Kelly Burch ; Lee Heath; Louis Bullock; Melissa Carr; michelle jaromin; MRousseau; Richard Garren; Sharon Gentry; Sharon Weaver; Trevor Hammons
Subject: RE: Expert depositions

Jay,

We propose the following dates for depositions of Plaintiff's retained testifying experts:

BROWN - June 18th
STEVENSON - July 2nd
COOKE - July 9th
WELCH - July 10th
ENGEL - July 16th
LAWRENCE - July 22nd
CANEDAY - July 23rd
OLSEN - July 24th
TEAF - July 30th
TAYLOR - August 5th
KING - August 7th
FISHER - August 13th
JOHNSON - August 19th
HARWOOD - August 20th
WELLS - August 28th

These are current dates that both the expert and attorney assigned to that expert are available. We propose the depositions be held in Tulsa at the Riggs, Abney offices commencing at 9:00 am. I will be the "liaison counsel" on scheduling the testifying experts so please contact me about the proposed schedule and any schedule modifications you may want to propose. With regard to the length of the depositions, would you please advise me as to which of these Expert's depositions you expect to last longer than 1 day (7 hours) and how much longer you anticipate that each of those depositions would last?

Also, we propose that, unless otherwise agreed, the depositions of all retained testifying experts (Plaintiff's or Defendants') will take place in Tulsa. We also suggest that each side (Plaintiff's and Defendants') be responsible for costs and fees of their respective experts (subject, of course, to an award of such fees and costs by the Court to the prevailing party).

With respect to non-retained testifying experts, would you please coordinate those depositions with Rick Garren? Rick (and in his absence David Riggs) shall be our liaison counsel for these non-retained expert depositions as well as other discovery depositions to be scheduled by either side concerning all persons other than retained testifying experts by Plaintiff or Defendant. In this regard, we plan on sending you and your co-counsel a proposed plan on how we coordinate deposition scheduling and other logistics and ground rules in the next couple of days.

Please let me know how this proposed schedule works for the Defendants.

Thanks, David.

David P. Page
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6/30/2008

EXHIBIT

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From: Jorgensen, Jay T. [mailto:jjorgensen@sidley.com]

Sent: Thursday, June 05, 2008 12:18 PM

To: Jorgensen, Jay T.; Bill Narwold; David Riggs; Bob Nance; Daniel Lennington; David Page; Deborah Ellis; Elizabeth Claire Xidis; Elizabeth Ward; FFitzpatrick; Fred Baker; Ingrid Moll; JOrent; Julie Zielinski; Kelly Burch ; Lee Heath; Louis Bullock; Melissa Carr; michelle jaromin; MRousseau; Richard Garren; Sharon Gentry; Sharon Weaver; Trevor Hammons

Subject: RE: Expert depositions

Colleagues,

I have not heard back on this request. Judge Joyner asked the parties to work together to formulate a comprehensive plan for depositions in the case. We'd like to work cooperatively with you on a schedule that makes sense. Please let me know the dates when the individuals on your list could be available so we can start formulating a plan together.

Jay

From: Jorgensen, Jay T.

Sent: Friday, May 30, 2008 12:01 AM

To: Bill Narwold; David Riggs; Bob Nance; Daniel Lennington; David Page; Deborah Ellis; Elizabeth Claire Xidis; Elizabeth Ward; FFitzpatrick; Fred Baker; Ingrid Moll; JOrent; Julie Zielinski; Kelly Burch ; Lee Heath; Louis Bullock; Melissa Carr; michelle jaromin; MRousseau; Richard Garren; Sharon Gentry; Sharon Weaver; Trevor Hammons

Subject: Expert depositions

Colleagues,

In a letter dated April 1, 2008, you provided lists of plaintiffs': (1) retained testifying experts, and (2) non-retained testifying experts. Would you provide dates when each of those individuals can be available for a deposition? If you will provide several alternative dates for each individual, it will likely aid in the scheduling process.

Also, in the past you have taken the position that all depositions should be limited to seven hours. For these expert depositions, Defendants anticipate that several will last significantly longer, given the broad scope of the expert's testimony and the number of defendants.

Jay

Sidley Austin LLP mail server made the following annotations on 06/05/08, 12:18:04:

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6/30/2008